



IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

PATRICK HENRY MURPHY,

Petitioner,

v.

RICK THALER, Director
Texas Department of Criminal Justice,
Correctional Institutions Division,

Respondent.

Civil Action No. **3:09-CV-1368-L-BN**

(Death Penalty Case)

ORDER REOPENING PROCEEDINGS

On April 23, 2013, this Court suspended these proceedings pending a decision of the United States Supreme Court in *Trevino v. Thaler*, No. 11-10189. *See* Dkt. No. 56. On May 28, 2013, the Supreme Court issued its decision in *Trevino*. *See Trevino v. Thaler*, 133 S. Ct. 1911 (2013). Therefore, the stay previously granted is now lifted, and this case is **reopened** as of **May 28, 2013**, the date of the Supreme Court's *Trevino* decision.

Because that opinion may significantly alter the procedural posture of the instant case, the Clerk of the Court is **directed** to restart any affected statistical consideration as of the date that these proceedings are reopened. This case is again **referred** to United States Magistrate Judge David L. Horan for hearing, if necessary, and recommendation or determination to this Court. *See* 28 U.S.C. § 636(b); N.D. Tex. Special Order No. 3-251.

It is so ordered on this 28th day of June, 2013.

Sam A. Lindsay
Sam A. Lindsay
United States District Judge